

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

FIRST-CLASS MAIL AND PERIODICALS
SERVICE STANDARD CHANGES, 2021

Docket No. N2021-1

**OBJECTION OF THE UNITED STATES POSTAL SERVICE TO THE ADMISSION
INTO EVIDENCE OF THE REBUTTAL TESTIMONIES AND ASSOCIATED LIBRARY
REFERENCES OF REBUTTAL WITNESSES MORRISON, DEMATTEO AND
HUTKINS**

(June 11, 2021)

Pursuant to the Presiding Officer's Ruling No. N2021-1/16 (June 4, 2021) (POR No. 16), the United States Postal Service hereby objects to the admission of the rebuttal testimony of rebuttal witnesses Anita Morrison (APWU-RT-1), Stephen DeMatteo (APWU-RT-2), and Steve Hutkins (SH-RT-1), as well as the sponsored library reference of witness Hutkins (SH-LR-N2021-1-1).

In POR No. 16, the Presiding Officer excused Rebuttal Witnesses Morrison, DeMatteo, Hutkins and Carlson from appearing during the hearing that took place on June 9, 2021. Those rebuttal witnesses were directed to file a motion, "in writing, to admit their testimony, along with a declaration that their testimony would be the same if offered orally (and proffer any corrections if necessary)." Pursuant to 39 C.F.R. § 3010.321(f)(3), any declaration accompanying written testimony shall be made under penalty of perjury. Rebuttal Witnesses Morrison, DeMatteo and Hutkins have not yet undertaken to comply with these requirements.

Specifically, on June 10, 2021, the APWU filed a motion to admit the testimony of Rebuttal Witnesses Morrison (APWU-RT-1) and DeMatteo (APWU-RT-2). Although the

motion was filed with an accompanying declaration from each witness, neither declaration was made under the penalty of perjury.

Also on June 10, 2021, Steve Hutkins filed a motion to admit his corrected written rebuttal testimony (SH-RT-1) and the corrected library reference associated with his testimony (SH-LR-N2021-1-1). Mr. Hutkins did not provide a declaration made under penalty of perjury with his motion.

Therefore, in accordance with POR No. 16, the Postal Service respectfully objects to the admission into evidence in the record in this docket of the written rebuttal testimony of Anita Morrison, Stephen DeMatteo and Steve Hutkins for failure to conform with the requirements of POR No. 16 and 39 C.F.R. 3010.321.

It is understandable that pro se witnesses may not be familiar with Commission practice, and the Postal Service considers that these matters may be easily remedied. Upon the filing of declarations that comply with the applicable rules, the Commission may consider Postal Service's objection as moot.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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